

REMARKS

Claims 1-12 are pending in this application. By this Amendment, claim 1 is amended. Support for the amendment to claim 1 is found in, at least, Applicant's Figs. 5 and 8. Claims 11 and 12 are added. Support for claims 11 and 12 is found in, at least, Applicant's Figs. 5 and 8 and Applicant's claim 1, as originally filed. Reconsideration of the application in view of the amendments and the following remarks is respectfully requested.

The courtesies extended to Applicant's representative by Examiner Thomas and Supervisory Patent Examiner Gandhi at the personal interview held July 9, 2009 are appreciated. The reasons presented during the interview as warranting favorable action are incorporated into the remarks below, which constitute Applicant's record of the interview.

The Office Action objects to claim 1 for alleged informalities. Claim 1 is amended to obviate the objection. Withdrawal of the objection is respectfully requested.

The Office Action rejects claims 1-6 and 8-10 under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent Application Publication No. 2005/0219016 to Chou et al. ("Chou") in view of U.S. Patent No. 6,703,916 to Charvet et al. ("Charvet"); and rejects claim 7 under 35 U.S.C. §103(a) as being unpatentable over Chou, in view of Charvet, and further in view of U.S. Patent Application Publication No. 2004/0061579 to Nelson. These rejections are respectfully traversed.

Claim 1 recites, among other features, "the actuating means being disposed adjacent to the substrate on at least one of the ends of each flexure arm." The Office Action has not asserted that Chou discloses this feature.

Indeed, Chou fails to teach or have rendered obvious the above-quoted feature. Charvet and Nelson are not applied in any manner that would cure the deficiencies of Chou.

During the July 9 interview, the Examiners agreed that the applied references fail to disclose the above-quoted feature. Therefore, the rejection of claim 1 lacks merit.

For at least these reasons, Chou cannot reasonably be considered to teach, or to have rendered obvious, the combinations of all of the features positively recited in independent claim 1. Further, Charvet and Nelson are not applied in any manner that would overcome the above-identified shortfall in the application of Albrecht to the subject matter of independent claim 1. To any extent that Chou, Charvet and Nelson are even combinable, a conclusion which Applicant does not concede, no permissible combination of these references can reasonably be considered to have rendered obvious the combination of all of the features positively recited in claims 2-10, for at least the respective dependencies of these claims directly on an allowable base claim, as well as for the separately allowable subject matter that these claims recite.

Accordingly, reconsideration and withdrawal of the rejections of claims 1-10 under 35 U.S.C. §103(a) as being unpatentable over the applied references are respectfully requested.

Claim 11 recites, among other features, "the flexure arms comprising actuating means disposed adjacent to the substrate." Claim 12 recites similar features.

The Office Action has not asserted that Chou, Charvet or Nelson teach or have rendered obvious this feature. In fact, the applied references do not teach any features that can reasonably correspond to this feature. Therefore, claims 11 and 12 are patentable for this feature, and for the additional subject matter that these claims recite.

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 1-12 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



William P. Berridge
Registration No. 30,024

Jarrett L. Silver
Registration No. 60,239

WPB:JZS/hs

Date: August 7, 2009

OLIFF & BERRIDGE, PLC
P.O. Box 320850
Alexandria, Virginia 22320-4850
Telephone: (703) 836-6400

<p>DEPOSIT ACCOUNT USE AUTHORIZATION Please grant any extension necessary for entry; Charge any fee due to our Deposit Account No. 15-0461</p>
--